

(1) *Exceptions.* (1) This section does not require a category and class rating for aircraft not type-certificated as airplanes, rotorcraft, gliders, lighter-than-air aircraft, powered-lifts, powered parachutes, or weight-shift-control aircraft.

(2) The rating limitations of this section do not apply to—

(i) An applicant when taking a practical test given by an examiner;

(ii) The holder of a student pilot certificate;

(iii) The holder of a pilot certificate when operating an aircraft under the authority of—

(A) A provisional type certificate; or

(B) An experimental certificate, unless the operation involves carrying a passenger;

(iv) The holder of a pilot certificate with a lighter-than-air category rating when operating a balloon;

(v) The holder of a recreational pilot certificate operating under the provisions of § 61.101(h); or

(vi) The holder of a sport pilot certificate when operating a light-sport aircraft.

[Doc. No. 25910, 62 FR 40896, July 30, 1997, as amended by Amdt. 61-104, 63 FR 20286, Apr. 23, 1998; Amdt. 61-110, 69 FR 44865, July 27, 2004; Amdt. 61-124, 74 FR 42548, Aug. 21, 2009; Amdt. 61-128, 76 FR 54105, Aug. 31, 2011]

§ 61.33 Tests: General procedure.

Tests prescribed by or under this part are given at times and places, and by persons designated by the Administrator.

§ 61.35 Knowledge test: Prerequisites and passing grades.

(a) An applicant for a knowledge test must have:

(1) Received an endorsement, if required by this part, from an authorized instructor certifying that the applicant accomplished the appropriate ground-training or a home-study course required by this part for the certificate or rating sought and is prepared for the knowledge test;

(2) After July 31, 2014, for the knowledge test for an airline transport pilot certificate with an airplane category multiengine class rating, a graduation certificate for the airline transport

pilot certification training program specified in § 61.156; and

(3) Proper identification at the time of application that contains the applicant's—

(i) Photograph;

(ii) Signature;

(iii) Date of birth, which shows:

(A) For issuance of certificates other than the ATP certificate with an airplane category multiengine class rating, the applicant meets or will meet the age requirements of this part for the certificate sought before the expiration date of the airman knowledge test report;

(B) Prior to August 1, 2014, for issuance of an ATP certificate with an airplane category multiengine class rating under the aeronautical experience requirements of §§ 61.159 or 61.160, the applicant is at least 21 years of age at the time of the knowledge test; and

(C) After July 31, 2014, for issuance of an ATP certificate with an airplane category multiengine class rating obtained under the aeronautical experience requirements of §§ 61.159 or 61.160, the applicant is at least 18 years of age at the time of the knowledge test;

(iv) If the permanent mailing address is a post office box number, then the applicant must provide a current residential address.

(b) The Administrator shall specify the minimum passing grade for the knowledge test.

[Doc. No. 25910, 62 FR 16298, Apr. 4, 1997, as amended by Amdt. 61-104, 63 FR 20286, Apr. 23, 1998; Amdt. 61-124, 74 FR 42548, Aug. 21, 2009; Amdt. 61-130, 78 FR 42373, July 15, 2013; Amdt. 61-130B, 78 FR 77573, Dec. 24, 2013]

§ 61.37 Knowledge tests: Cheating or other unauthorized conduct.

(a) An applicant for a knowledge test may not:

(1) Copy or intentionally remove any knowledge test;

(2) Give to another applicant or receive from another applicant any part or copy of a knowledge test;

(3) Give assistance on, or receive assistance on, a knowledge test during the period that test is being given;

(4) Take any part of a knowledge test on behalf of another person;

(5) Be represented by, or represent, another person for a knowledge test;

(6) Use any material or aid during the period that the test is being given, unless specifically authorized to do so by the Administrator; and

(7) Intentionally cause, assist, or participate in any act prohibited by this paragraph.

(b) An applicant who the Administrator finds has committed an act prohibited by paragraph (a) of this section is prohibited, for 1 year after the date of committing that act, from:

(1) Applying for any certificate, rating, or authorization issued under this chapter; and

(2) Applying for and taking any test under this chapter.

(c) Any certificate or rating held by an applicant may be suspended or revoked if the Administrator finds that person has committed an act prohibited by paragraph (a) of this section.

§ 61.39 Prerequisites for practical tests.

(a) Except as provided in paragraphs (b), (c), and (e) of this section, to be eligible for a practical test for a certificate or rating issued under this part, an applicant must:

(1) Pass the required knowledge test:

(i) Within the 24-calendar-month period preceding the month the applicant completes the practical test, if a knowledge test is required; or

(ii) Within the 60-calendar month period preceding the month the applicant completes the practical test for those applicants who complete the airline transport pilot certification training program in § 61.156 and pass the knowledge test for an airline transport pilot certificate with a multiengine class rating after July 31, 2014;

(2) Present the knowledge test report at the time of application for the practical test, if a knowledge test is required;

(3) Have satisfactorily accomplished the required training and obtained the aeronautical experience prescribed by this part for the certificate or rating sought;

(4) Hold at least a third-class medical certificate, if a medical certificate is required;

(5) Meet the prescribed age requirement of this part for the issuance of the certificate or rating sought;

(6) Have an endorsement, if required by this part, in the applicant's logbook or training record that has been signed by an authorized instructor who certifies that the applicant—

(i) Has received and logged training time within 2 calendar months preceding the month of application in preparation for the practical test;

(ii) Is prepared for the required practical test; and

(iii) Has demonstrated satisfactory knowledge of the subject areas in which the applicant was deficient on the airman knowledge test; and

(7) Have a completed and signed application form.

(b) An applicant for an airline transport pilot certificate with an airplane category multiengine class rating or an airline transport pilot certificate with an airplane type rating may take the practical test with an expired knowledge test only if the applicant passed the knowledge test after July 31, 2014, and is employed:

(1) As a flightcrew member by a part 119 certificate holder conducting operations under parts 125 or 135 of this chapter at the time of the practical test and has satisfactorily accomplished that operator's approved pilot-in-command training or checking program; or

(2) As a flightcrew member by a part 119 certificate holder conducting operations under part 121 of this chapter at the time of the practical test and has satisfactorily accomplished that operator's approved initial training program; or

(3) By the U.S. Armed Forces as a flight crewmember in U.S. military air transport operations at the time of the practical test and has completed the pilot in command aircraft qualification training program that is appropriate to the pilot certificate and rating sought.

(c) An applicant for an airline transport pilot certificate with a rating other than those ratings set forth in paragraph (b) of this section may take the practical test for that certificate or rating with an expired knowledge test report, provided that the applicant is employed:

(1) As a flightcrew member by a part 119 certificate holder conducting operations under parts 125 or 135 of this